

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLES LANGONE, as FUND MANAGER )  
of the NEW ENGLAND TEAMSTERS AND )  
TRUCKING INDUSTRY PENSION FUND )  
  )  
Plaintiff,                            )  
  )         C.A. No. 04-12509 DPW  
v.                                    )  
  )  
EAGLE GRAPHICS, INC and            )  
JOSEPH BENGER, in his capacity as President    )  
of Eagle Graphics, Inc.              )  
  )  
Defendants,                          )  
  )  
\_\_\_\_\_  
)

**AFFIDAVIT OF CATHERINE M. CAMPBELL IN SUPPORT  
OF AWARD OF ATTORNEY'S FEES AND COSTS PURSUANT TO  
SECTION 502(g)(2) OF ERISA, 29 U.S.C. § 1132(g)(2)**

Catherine M. Campbell deposes and says as follows:

1. I am an attorney with the law office of Feinberg, Campbell & Zack, P.C., located at 177 Milk Street, Boston, MA 02109. I am admitted to practice before the United States District Court for the District of Massachusetts, the United States District Court for the Northern District of California, the United States Court of Appeals for the First Circuit, the Massachusetts Supreme Judicial Court, and the California Supreme Court. I specialize in litigation under the Employee Retirement Income Security Act of 1974 (ERISA) and the Multiemployer Pension Plan Amendments Act of 1980 (MPPAA). I have acted as legal representative of the New England Teamsters and Trucking Industry Pension Fund ("Pension") for the purposes of the above-captioned matter.

2. The amount of time this office has expended in pursuing collection of pension contributions due and owing the Pension Fund from the Defendants Eagle Graphics, Inc.

and Joseph Benger, has been 129.25 hours. Pursuant to financial arrangements made by this office with the Fund, services performed by an attorney in this office for the Fund are charged at the rate of \$235.00 per hour for Catherine M. Campbell, \$210 per hour for an associate attorney and \$125 per hour for a paralegal. Accordingly, the amount of legal fees incurred by the Pension Fund as a result of the work performed by this office is \$30,003.75. The total amount of costs amount to \$1,600.09.

3. The total of attorneys fees and costs incurred by the Pension Fund are \$31,603.84.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 13<sup>th</sup> DAY OF MARCH 2006.

/S/ Catherine M. Campbell  
Catherine M. Campbell  
BBO #549397  
Feinberg, Campbell & Zack, P.C.  
177 Milk Street  
Boston, MA 02109  
(617) 338-1976

Fees	Client	Trans Date	H P	Tcd	Rate	Hours to Bill	Amount	Ref #
	200.353	07/28/2004	11 A	1	125.00	0.75	93.75 Open new file; Control group research; Draft Demand letter and withdrawal liability questionnaire New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	07/29/2004	7 A	1	235.00	1.50	352.50 Review of new file; Edit of Demand letter and questionnaire New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	08/09/2004	7 A	1	235.00	3.50	822.50 Internet research of LLP; Edit of questionnaire New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	09/09/2004	7 A	1	235.00	1.50	352.50 Edit Complaint; Preparation of Summons; Research regarding service New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	10/12/2004	7 A	1	235.00	2.75	646.25 Research regarding control group New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	10/13/2004	7 A	1	235.00	1.50	352.50 Research control group and officers New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	10/18/2004	7 A	1	235.00	0.50	117.50 Letter to company with withdrawal liability questionnaire New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	10/19/2004	7 A	1	235.00	0.50	117.50 Telephone conference with J. Macintosh; Memo to file New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/01/2004	7 A	1	235.00	0.50	117.50 Review of draft Complaint New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/24/2004	7 A	1	235.00	2.50	587.50 Edit of draft Complaint New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	12/02/2004	7 A	1	235.00	0.50	117.50 Letter to sheriff regarding Summons New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	12/09/2004	7 A	1	235.00	0.50	117.50 Telephone conference with employer; Preparation of Stipulation to Extend Time to Answer Complaint New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	12/14/2004	7 A	1	235.00	0.25	58.75 Update litigation report New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	12/28/2004	7 A	1	235.00	0.50	117.50 Telephone conference with Benger; Preparation and filing of Stipulation to Extend Time to Answer New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	12/29/2004	7 A	1	235.00	0.50	117.50 Letter to Benger New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	01/05/2005	7 A	1	235.00	0.50	117.50 Telephone conference with attorney; Memo to file; Preparation of Extension of Time to File Answer New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	01/13/2005	7 A	1	235.00	0.50	117.50 Letter to attorney; Telephone conference with same New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	03/14/2005	7 A	1	235.00	2.75	646.25 Preparation of Scheduling conference documents New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	03/18/2005	7 A	1	235.00	2.75	646.25 Telephone conference with Counsel; Email correspondence; Edit of joint schedule New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	03/24/2005	7 A	1	235.00	2.25	528.75 Prepare for and attend scheduling conference New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	03/25/2005	7 A	1	235.00	1.25	293.75 Preparation of automatic disclosure documents New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	03/28/2005	7 A	1	235.00	0.75	176.25 Email correspondence with attorney regarding questionnaire New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	04/13/2005	7 A	1	235.00	0.75	176.25 Telephone conference with and letter to attorney New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	04/13/2005	7 A	1	235.00	0.50	117.50 Preparation of Notice of Deposition New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	04/27/2005	7 A	1	235.00	2.50	587.50 Research for Motion for Summary Judgment; Letter to attorney	ARCH

Fees	Client	Trans Date	H	P	Tot	Rate	Hours to Bill	Amount	Ref #
								New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
	200.353	05/17/2005	7	A	1	235.00	1.50	352.50 Letter to attorney, deposition preparation New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	05/31/2005	7	A	1	235.00	1.75	411.25 Telephone conference with attorney; Reschedule of deposition; Letter regarding withdrawal liability questionnaire; Research regarding Summary Judgment New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	06/06/2005	7	A	1	235.00	0.50	117.50 Letter to attorney New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	06/06/2005	7	A	1	235.00	2.50	587.50 Research regarding successor liability New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	06/13/2005	7	A	1	235.00	5.50	1292.50 Prepare for and attend deposition; Preparation of Discovery New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	06/14/2005	7	A	1	235.00	0.50	117.50 Review Memorandum of Understanding; Research regarding same New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	06/20/2005	7	A	1	235.00	4.75	1116.25 Preparation of Interrogatories and Requests for Production of Documents; Legal research regarding successor employer New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	06/22/2005	7	A	1	235.00	0.50	117.50 Letter to Court regarding status conference New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	06/23/2005	3	A	21	210.00	3.00	630.00 Review file; Research regarding withdrawal liability and successor liability New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	06/24/2005	3	A	20	210.00	5.00	1050.00 Research regarding withdrawal liability and successorship New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	06/27/2005	3	A	20	210.00	1.50	315.00 Research regarding Cambridge printing and successor liability New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	06/27/2005	7	A	1	235.00	3.75	881.25 Preparation of Discovery Responses New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	06/28/2005	7	A	1	235.00	2.50	587.50 Preparation of Subpoena to Next Generation New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	06/28/2005	3	A	20	210.00	2.00	420.00 Research regarding successor liability theories New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	07/21/2005	7	A	1	235.00		0.00 Research regarding enforcement of subpoena; Telephone conference regarding discovery New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	10/06/2005	7	A	1	235.00	2.50	587.50 Preparation of Motion to Amend scheduling conference and Motion for Contempt regarding Next Generation New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	10/07/2005	7	A	1	235.00	0.75	176.25 Edit of Motion to Amend scheduling conference and Motion for Contempt New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/04/2005	7	A	1	235.00	2.25	528.75 Telephone conference with Court and attorney for Next Generation; letter to same, review of confidentiality agreement New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/07/2005	7	A	1	235.00	2.25	528.75 Telephone conference with Next Generation's attorney; Letter to L. Donaghue; Preparation of Memo to Amend Scheduling Conference Order New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/18/2005	7	A	1	235.00	1.25	293.75 Preparation of Notice of Deposition to Next Generation New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/22/2005	7	A	1	235.00	0.50	117.50 Letter to Constable and Donaghue New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/29/2005	7	A	1	235.00	2.75	646.25 Letter to Rothstein; Review documents from Eagle New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH

	Client	Trans Date	H P	Tcd	Rate	Hours to Bill	Amount	Ref #
Fees	200.353	12/01/2005	7 A	1	235.00	3.25	763.75 Meeting at Next Gen to review subpoenaed records New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	12/02/2005	7 A	1	235.00	1.50	352.50 Review of Eagle documents New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	12/07/2005	7 A	1	235.00	0.50	117.50 Letter to Rothstein regarding rescheduled deposition notice New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	01/10/2006	7 A	1	235.00	7.25	1703.75 Prepare for and attend deposition of Rothstein/Next Generation New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	01/17/2006	7 A	1	235.00	1.75	411.25 Preparation of Interrogatories to Eagle; Letter to attorney New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	01/27/2006	7 A	1	235.00	6.25	1468.75 Review deposition transcript; Research regarding de facto mergers and successor liability; Preparation of Settlement letter New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	01/31/2006	7 A	1	235.00	1.50	352.50 Edit Settlement letter New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	02/03/2006	7 A	1	235.00	0.50	117.50 Review Discovery documents New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	02/07/2006	7 A	1	235.00	4.75	1116.25 Telephone conference with Next Generation attorney; Research regarding Document Request; Review of deposition testimony New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	02/08/2006	7 A	1	235.00	4.25	998.75 Telephone conference with Eagle's attorney; Preparation of Document Request to Next Generation; Letter to Next Generation New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	02/28/2006	7 A	1	235.00	0.50	117.50 Telephone conference with attorney; Letter to same; Preparation of Motion to Extend New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	03/03/2006	7 P	1	235.00	1.25	293.75 Review of documents from Next Gen New England Teamsters & Trucking Industry Eagle Graphics, Inc.	60
	200.353	03/09/2006	7 P	1	235.00	7.50	1762.50 Preparation of Motion for Summary Judgment New England Teamsters & Trucking Industry Eagle Graphics, Inc.	62
	200.353	03/10/2006	7 P	1	235.00	3.75	881.25 Preparation of Motion for Summary Judgment New England Teamsters & Trucking Industry Eagle Graphics, Inc.	63
	200.353	03/10/2006	7 P	1	235.00	5.00	1175.00 Preparation of Motion for Summary Judgment New England Teamsters & Trucking Industry Eagle Graphics, Inc.	64
Total for Fees					Billable	120.25	30003.75	
Advances								
	200.353	09/14/2004	7 A	134			43.78 Online Computer Research Charges via Lexis-Nexis during the month of August 04 New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	10/27/2004	7 A	134			40.93 Online Computer Research Charges Dun & Bradstreet New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	10/27/2004	7 A	134			9.95 Online Computer Research Charges via knowx.com New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/15/2004	7 A	134			50.31 Online Computer Research Charges via Lexis-Nexis during the month of October 2004 New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/29/2004	7 A	114			150.00 Filing Fees/ (38) Clerk, US District Court New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/29/2004	7 A	54			4.88 Certified Mail Cost - Copy of Complaint to U.S. Secretary of Labor New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
	200.353	11/29/2004	7 A	54			4.88 Certified Mail Cost - Copy of Complaint to U.S. Secretary of Treasury	ARCH

<u>Client</u>	<u>Trans Date</u>	<u>H</u>	<u>P</u>	<u>Tcd</u>	<u>Rate</u>	<u>Hours to Bill</u>	<u>Amount</u>	<u>Ref #</u>
<b>Advances</b>								
200.353	11/29/2004	7	A	54			New England Teamsters & Trucking Industry Eagle Graphics, Inc.	
200.353	11/29/2004	7	A	127		0.00	Certified Mail Cost New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353	11/30/2004	7	A	134		7.10	Courier/City Express (1115) City Express to US District Court New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353	01/01/2005	7	A	134		38.00	Online Computer Research Charges via Locate Plus during the month of November 2004 New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353	01/03/2005	7	A	115		24.95	Online Computer Research Charges via knowx.com New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353	01/03/2005	7	A	115		36.00	Service of Summons and Complaint: Sheriff's Department , Norfolk County 12/06/04 New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353	01/03/2005	7	A	115		51.38	Service of Summons and Complaint on Joseph Benger: Sheriff's Department 12/06/04 New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353	06/13/2005	7	A	134		24.95	Online Computer Research Charges via knowx.com New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353	06/23/2005	7	A	115		103.00	Service of Federal Subpoenas: All State Constables on KOR- Next Generation Printing New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353	07/13/2005	7	A	112		317.00	Deposition/Transcript Expense: (2412) Neal A. Salloway - Deposition of Joseph Benger New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353	07/26/2005	7	A	134		168.23	Online Computer Research Charges via Lexis-Nexis during the month of June 2005 New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353	10/31/2005	7	A	44		29.00	Parking - Attorney Campbell New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353	11/01/2005	7	A	115		50.00	Service of Order to Next Generation Printing: (2431) All State Constables New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353	12/22/2005	7	A	115		0.00	Service of Subpoena and Federal Witness Fee on Next Generation Printing Inc. by All State Constables New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
200.353	01/10/2006	7	A	112		445.75	Deposition/Transcript Expense: (2412) Neal A. Salloway - Deposition of Paul E. Rollstein New England Teamsters & Trucking Industry Eagle Graphics, Inc.	ARCH
<b>Total for Advances</b>				<b>Billable</b>	<b>0.00</b>	<b>1600.09</b>		
<b>GRAND TOTALS</b>								
				<b>Billable</b>	<b>129.25</b>	<b>31603.84</b>		